

Message Text

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TAGS: CASC, YO (TRUTA, ANTHONY)

SUBJECT: W/W: ANTHONY TRUTA

REF: UNCLAS STATE 205141

1. CONGRESSMAN ROBERT A. ROE INTERESTED.

2. MR. ANTHONY TRUTA, DUAL-NATIONAL, CALLED ON THE CONSUL AUGUST 23 IN RESPONSE TO THE CONSULATE'S TELEGRAM OF AUGUST 19. HE STATED THAT NEITHER HE NOR HIS WIFE ANNA AND SON ANTHONY, JR. HAS ATTEMPTED TO DEPART YUGOSLAVIA. HOWEVER, IN ORDER TO STAY IN YUGOSLAVIA, TRUTA TOOK CERTAIN STEPS WHICH PROBABLY CLASSIFIED HIM AND HIS FAMILY AS "RETURNING RESIDENTS" BY THE YUGOSLAV AUTHORITIES, AND WHICH MADE HIS SON AN AMERICAN CITIZEN SUBJECT TO MILITARY SERVICE IN THE YUGOSLAV ARMY. ANTHONY TRUTA JR. RESIDES WITH HIS PARENTS AND IS NOT UNDER DETENTION.

3. TRUTA GAVE THE CONSUL THE FOLLOWING ACCOUNT: HE RETURNED TO YUGOSLAVIA IN MARCH 1975 FOR RETIREMENT PURPOSES. NO PROBLEMS WERE EXPERIENCED WITH YUGOSLAV AUTHORITIES UNTIL HE SOUGHT EXTENSIONS OF VISAS, DUE TO EXPIRE DECEMBER 11, 1975, FOR HIMSELF AND HIS FAMILY. AT THAT TIME, THE EXTENSIONS WERE DENIED AND TRUTA WAS TOLD BY POLICE AUTHORITIES THAT HE WOULD HAVE TO OBTAIN YUGOSLAV LICNA KARTAS (IDENTIFICATION CARDS) AND PASSPORTS FOR HIMSELF AND HIS FAMILY IF HE DESIRED TO REMAIN IN YUGOSLAVIA. EXPERIENCING LEGAL PROBLEMS ON THE TRANSFER OF A HOUSE TO HIS NAME FROM THAT OF HIS BROTHER, TRUTA DECIDED TO MAKE APPLICATION FOR LICNA KARTAS. TRUTA ALSO STATED THAT A DUAL

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NATIONAL AMERICAN-YUGOSLAV, WHOM HE DID NOT IDENTIFY, ALSO RECOM-

MENDED THAT HE APPLY FOR LICNA KARTAS. THESE WERE OBTAINED IN APRIL 1976. HE THEN PROCEEDED TO APPLY FOR YUGOSLAV PASSPORTS. HOWEVER, HE WAS INFORMED BY YUGOSLAV PASSPORT AUTHORITIES THAT HIS SON COULD NOT RECEIVE A YUGOSLAV PASSPORT BECAUSE HE WAS SUBJECT TO MILITARY SERVICE. RATHER THAN PURSUE THE MATTER, TRUTA WITHDREW THE APPLICATIONS FOR PASSPORTS. HE TOLD THE CONSUL THAT HIS SON, ANTHONY JR., IS EXTREMELY PERTURBED THAT HE CANNOT LEAVE YUGOSLAVIA IF HE SO DESIRES. ADDITIONALLY HE DOES NOT WANT TO SERVE IN THE YUGOSLAV ARMY. ANTHONY JR. WOULD NOT ACCOMPANY HIS FATHER TO THE CONSULATE TO DISCUSS THE MATTER.

4. THE CONSUL TELEPHONED THE BUREAU OF CONSULAR AFFAIRS, EXECUTIVE COUNCIL OF CROATIA ON AUGUST 24 TO EXPRESS THE CONSULATE'S CONCERN AND TO REQUEST A REPORT ON ANTHONY TRUTA, JR.'S LEGAL STATUS IN YUGOSLAVIA. A FORMAL NOTE IS ALSO BEING TRANSMITTED REQUESTING AN INTERPRETATION OF YUGOSLAV CITIZENSHIP LAW AS IT APPLIES IN THIS CASE.

5. ANTHONY TRUTA, JR. WAS BORN JANUARY 2, 1959 AT PEQUANNOCK, NEW JERSEY TO ANTHONY TRUTA, A YUGOSLAV BORN, AMERICAN CITIZEN NATURALIZED ON FEBRUARY 2, 1945 AND ANNA HELEN TRUTA, A YUGOSLAV BORN CITIZEN AND PERMANENT RESIDENT OF THE UNITED STATES. SHE WAS NOT NATURALIZED UNTIL NOVEMBER 14, 1960. PRIOR TO RETURNING TO YUGOSLAVIA, NEITHER ANTHONY TRUTA NOR HIS WIFE HAD MADE APPLICATION TO RENOUNCE THEIR YUGOSLAV CITIZENSHIP.

ALL NATURALIZED U.S. CITIZENS OF YUGOSLAV ORIGIN WHO HAVE NOT RENOUNCED THEIR YUGOSLAV CITIZENSHIP ARE CONSIDERED BY YUGOSLAV AUTHORITIES AS CITIZENS OF YUGOSLAVIA WHEN THEY RETURN AS TEMPORARY VISITORS OR AS PERMANENT RESIDENTS. YUGOSLAV NATIONALITY IS NOT CONSIDERED LOST UNTIL FORMAL APPROVAL IS GIVEN TO AN APPLICATION FOR RENUNCIATION OF CITIZENSHIP.

6. ARTICLE 5 OF THE LAW ON YUGOSLAV CITIZENSHIP WOULD APPEAR TO BE THE LEGAL GROUND UPON WHICH ANTHONY TRUTA, JR. HAS BEEN JUDGED TO BE A YUGOSLAV CITIZEN AND ACCORDINGLY SUBJECT TO MILITARY SERVICE. IT STATES AS FOLLOWS: "A CHILD BORN IN A FOREIGN COUNTRY, ONE PARENT AT THE MOMENT OF ITS BIRTH IS A YUGOSLAV CITIZEN, SHALL ACQUIRE YUGOSLAV CITIZENSHIP IF, BY THE TIME THE CHILD COMPLETES 18 YEARS OF AGE, IT IS REPORTED FOR UNCLASSIFIED

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REGISTRATION AS A YUGOSLAV CITIZEN WITH THE RESPONSIBLE YUGOSLAV ORGAN IN THE COUNTRY ABROAD, OR IF THE CHILD PERMANENTLY SETTLES DOWN IN YUGOSLAVIA." THE ARTICLE FURTHER STATES THAT A CHILD WHO ACQUIRES YUGOSLAV CITIZENSHIP ON THE BASIS OF THE FOREGOING SHALL BE CONSIDERED A YUGOSLAV CITIZEN FROM THE MOMENT OF ITS BIRTH.

7. THE DEPARTMENT WILL BE INFORMED BY TELEGRAM AS SOON AS A

REPORT IS RECEIVED FROM THE BUREAU OF CONSULAR AFFAIRS.

8. MR. TRUTA STATED THAT THE DEPARTMENT HAD HIS AUTHORITY TO
PASS ON INFORMATION REFERENCE HIS FAMILY'S SITUATION TO OFFICE
OF CONGRESSMAN ROBERT A. ROE. KAISER

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